



NEWS RELEASE
*Office of the
United States Attorney
for the
District of Nebraska*
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August 3, 2010

United States Attorney Deborah R. Gilg, the Lincoln Police Department, Lancaster County Sheriff's Department, and the Omaha Police Department announce the following information for the attention of the media:

Event Triggering this Release:

On August 3, 2010, a Lincoln man was sentenced to 17 ½ years, (210 months), in prison following his conviction for conspiracy to distribute methamphetamine between November of 2007 and March of 2009. Information provided to law enforcement established that Hector Cervantes Rivera was involved in the distribution of methamphetamine in the Lincoln area and supervised others in transporting methamphetamine from Lincoln to various locations in Iowa. Cervantes Rivera was held responsible for the distribution of between 11 and 33 pounds of methamphetamine. Following the prison term, he will serve five years on supervised release. He was also ordered to pay a \$100 special assessment.

Cervantes Rivera's federal sentence will run concurrently (at the same time) with the remainder of a 15-30 months sentence imposed in August of 2009 by the Douglas County District Court for possession with intent to distribute methamphetamine. That sentence resulted from an incident in January of 2009, in which Cervantes Rivera was stopped by an Omaha Police officer on Interstate 80 for driving on the shoulder. The officer attempted to arrest Cervantes Rivera after finding that Cervantes Rivera had outstanding warrants. Cervantes Rivera attempted to flee on foot, and officers saw him throwing items away as he ran. After catching Cervantes Rivera, officers retrieved the items which were found to contain a total of approximately 33 grams of methamphetamine.

Name of Defendant: Hector N. Cervantes Rivera

AKA: Jose Cervantes Rivera

Age: 26

City of residence: Lincoln

Crime(s) Charged and Potential Penalty (A CHARGE is merely an accusation and every defendant is presumed innocent until and unless proven guilty): Conspiracy to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 846. The possible penalty is not less than 10 years nor more than life imprisonment and a fine of up to \$4,000,000. Following any term of imprisonment, there would be a term of supervised release of not less than five years. There is also a \$100 special assessment.

Specific Location of Alleged Crime: Nebraska and Iowa

Location of Arrest: Lincoln

Alleged Dollar Loss/Type and Quantity of Drug: Cervantes Rivera was held responsible for the distribution of at least 5 kilograms (approximately 11 pounds) but less than 15 kilograms (approximately 33 pounds) of methamphetamine.

Others Charged in Same Scheme: Brian Darell Ziems. Ziems also pled guilty to the conspiracy charge and was sentenced in April of 2010 to 135 months in prison.

Relevant Dates:

Date of Alleged Crime: Between on or about November 1, 2007, and on or about March 31, 2009

Federal Arrest Date: November 3, 2009

Date Complaint Issued:

Indictment Returned Date: October 21, 2009

Initial Appearance Date: November 3, 2009

Plea or Trial and Date(s): Pled guilty on April 5, 2010

Sentencing Date: August 3, 2010

Next Court Hearing Type and Date: none

Assigned Magistrate Judge: The Honorable Cheryl R. Zwart

Held without Bond, or Released from Custody: held without bond

In Continuous Custody Since: January 21, 2009, when arrested on state charge.

Assigned District Court Judge: The Honorable Warren K. Urbom, United States Senior District Judge

Initials of Assigned AUSA/Preparer of THIS Release: SEF